

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BAYVIEW PLAZA TENANTS ASSOCIATION,

CASE NO. C17-1771JLR

ORDER REGARDING STIPULATED MOTION

GENE BOUMA,

Defendant.

Before the court is the parties' stipulated motion to (1) re-note Plaintiff Bayview Plaza Tenants Association's ("Bayview Plaza") motion for a preliminary injunction (PI Mot (Dkt. # 2) to be heard on November 30, 2017; (2) leave in place the temporary restraining order ("TRO") entered on November 30, 2017 (TRO (Dkt. # 27)); (3) set a briefing schedule for Bayview Plaza's motion for a preliminary injunction; and (4) extend the deadline for Defendants Gene Bouma, Washington Plaza Limited Partnership, Bayview Plaza Limited Partnership, Diamond Management, Inc., Sonny Purdue, Roger

1 Glendenning, Kirk Pearson, and Joel Baxley (collectively, “Defendants”) to answer
2 Bayview Plaza’s first amended complaint (FAC (Dkt. # 53)) until October 15, 2018.¹
3 (Stip. Mot. (Dkt. # 62).)

4 The court GRANTS the motion but in a slightly modified format and procedural
5 posture. The court GRANTS the parties’ stipulations, as follows:

6 (1) The TRO shall remain in place until further order of the court or until the court
7 rules on Plaintiffs motion for a preliminary injunction, whichever event occurs
8 first; *see Fed. R. Civ. P. 65(b)(2)* (“The [temporary restraining] order expires at
9 the time after entry—not to exceed 14 days—that the court sets, unless . . . the
10 adverse party consents to a longer extension.”);

11 (2) The court extends the deadline for Defendants to answer or otherwise respond
12 to Bayview Plaza’s first amended complaint until October 15, 2018;

13 (3) Instead of re-noting Bayview Plaza’s motion for a preliminary injunction, the
14 court DIRECTS the Clerk to remove the motion (Dkt # 2) from its calendar,
15 but without prejudice to Bayview Plaza re-noting its present motion for
16 preliminary injunction or filing an amended motion for preliminary injunction
17 no later than Friday, September 14, 2018;

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21 ¹ The parties also stipulate to requesting oral argument on Bayview Plaza’s motion for a
22 preliminary injunction. (Stip. Mot. at 2.) The court does not include this agreement in its order
because either party may request oral argument from the court pursuant to Local Rule LCR
7(b)(4). *See Local Rules W.D. Wash. LCR 7(b)(4).* Indeed, Bayview already has. (*See PI Mot.*
at 1.)

1 (4) Assuming that Bayview Plaza either re-notes its present motion for a
2 preliminary injunction or files an amended motion no later than Friday,
3 September 14, 2018, Defendants' response to Bayview Plaza's motion or
4 amended motion is due no later than Tuesday, October 9, 2018, and Bayview
5 Plaza's reply is due no later than Monday, October 15, 2018.

6 Dated this 28th day of August, 2018.

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9 JAMES L. ROBART
10 United States District Judge
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